IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOHNNY BERNAL,	§	
on Behalf of Himself and Others	§	
Similarly Situated	§	
	§	**CIVIL ACTION NO. 5:07-cv-00695-XR**
Plaintiff,	§	
	§	
vs.	§	
	§	
VANKAR ENTERPRISES, INC. d/b/a	§	
BABCOCK BAR, CHICAGO BAR, INC.,	§	
and TDS ENTERTAINMENT, INC. d/b/a	§	
DIXIE'S COUNTRY BAR	§	
	§	
Defendants.	§	

PLAINTIFF'S DISCLOSURE OF WITNESSES, TESTIFYING EXPERTS and LIST OF EXHIBITS[1]

1. Testifying Experts

Plaintiff, Johnny Bernal, hereby designates as testifying experts the following individuals in compliance with this Court's Scheduling Order (*Docket Entry #35*) and in supplementation of all prior written discovery requests and Rule 26 disclosures requesting the identification of experts and persons with knowledge of relevant facts:

1. Robert R. Debes, Jr.
   Debes Law Firm
   17 South Briar Hollow Lane, Suite 302
   Houston, Texas 77027
   (713) 623-0900 – Telephone
   (713) 623-0951 – Facsimile

[1]The Court's Scheduling Order was entered on January 2, 2008. On March 24, 2008, the Court conditionally certified this case as a collective action and authorized the issuance of notice to the putative class members. It is anticipated that additional class members will opt in to this case such that supplementation of this pleading will be required.

2. Richard J. Burch
Bruckner Burch PLLC
1000 Louisiana, Suite 1300
Houston, Texas 77002
713.877.8788 - Telephone
713.877.8065 - Facsimile

Messrs. Debes and Burch are expected to testify as to the reasonableness and necessity of the attorneys' fees, costs, and expenses incurred by Plaintiffs in prosecuting this suit. It is anticipated that testimony regarding attorneys' fees and costs will be presented to the Court, live or via affidavit, post-trial and assuming Plaintiffs are prevailing parties. It is further anticipated that evidence supporting Mr. Debes' and Mr. Burch's testimony will be provided to counsel for Defendant prior to any hearing the Court will hold on the matter, or as otherwise directed by the Court.

Data or other information considered by the witness in forming his opinion, and any exhibits to be used as a summary of or support of the opinions.

Prior to testifying, Messrs. Debes and Burch will review 1)their time records and case expenses related to this case; and 2) the documents exchanged in this matter (i.e. pleadings, correspondence, discovery, emails, documents produced in discovery, etc...). To the extent required by the Court, said records will be submitted as exhibits upon the trial of this case.

Compensation to be paid for the study and testimony

No study has been commissioned. Time spent testifying will be paid at the hourly rate set by the Court.

Qualifications of the witnesses

Robert R. Debes, Jr. is a shareholder and managing/founding partner of Debes Law Firm. He is admitted to practice in all Texas state and federal courts. Mr. Debes is a member of the National Employment Lawyers Association (NELA), the NELA Wage and Hour Committee, Texas Employment Lawyers Association, American Bar Association, Houston Bar Association – Labor & Employment Section, and Texas Trial Lawyers Association, among others. Mr. Debes has eighteen (18+) years of experience in the handling of civil litigation matters, including extensive experience in the investigation and prosecution of employment matters and wage disputes.

Mr. Debes regularly represents employees in multi-party actions arising under a variety of laws governing the workplace, particularly in the area of wage and hour disputes.

Mr. Burch is a shareholder in the A-V rated law firm of Bruckner Burch, PLLC. He is admitted to practice in numerous federal courts, as well as all Texas state courts. Mr. Burch is a member of the American Bar Association's Fair Labor Standards Committee and the national Employment Lawyers Association – where he currently serves as a member of the Wage and Hour Committee. Mr. Burch has also served as an adjunct professor at the University of Houston Law Center, teaching a course in civil trial advocacy.

Mr. Burch represents employers and employees in multi-party actions arising under a variety of laws governing the workplace. In addition to having successfully represented clients in jury and bench trials, Mr. Burch has successfully negotiated the dismissal of charges of discrimination, Department of Labor Investigations and lawsuits. His cases have been featured in the American Bar Journal, National Law Journal, and various newspapers across the country. Recently, Mr. Burch was named "Super Lawyer," and "Rising Star" by the Texas Lawyer and Texas Monthly magazines, as well as listed in "Best Lawyers in America" for Labor & Employment law.

Listing of all publications authored by the witness within the preceding ten years

Mr. Debes has not published any articles within the last ten (10) years.

Mr. Burch has published the following articles within the last ten (10 years:

ARTICLE	PUBLISHER/VENUE	DATE
Evaluating Wage and Hour Claims: A Plaintiff's Lawyer Perspective *Advanced Employment Law for Employers and Employment Lawyers*	University of Houston Law Center Houston & Dallas Texas	November 2006
Pursuing and Defending FLSA Collective Actions *Advanced Employment Law Seminar*	University of Texas Law School *Austin, Texas*	May 2006
FLSA Overtime Litigation Plaintiff's and Defendant's Respective	University of Houston Law Center Houston & Dallas Texas	April 2006
Class Actions Under the Fair Labor Standards Act	Texas General Counsel's Forum *Dallas, Texas*	March 2005
Litigating Collective Actions Under the Fair Labor Standards Act	Houston Bar Association: Laborr & Employment Section	June 2004
Protecting Employee Rights under the FLSA, FMLA & Equal Pay Act (Contributing Author)	National Employment Lawyers Association *San Francisco, California*	March 2003
A Practitioner's Guide to Joint Employer Liability Under the FLSA	Houston Business and Tax Law Journal	December 2002
Mastering the Trial Notebook in Texas (Contributing Author)	NBI, Inc. *Houston, Texas*	March 2002

2. List of Potential Witnesses

In addition to the individuals identified above, Plaintiff hereby designates the following persons as potential witnesses in compliance with the Court's Scheduling Order and in supplementation of all prior written discovery requests and Rule 26 disclosures requesting the identification of persons with knowledge of relevant facts.

1. Johnny Bernal
2. Alisa Richter

3. Stephanie Bowers
4. Amanda Eavenson
5. Dayna Littlejohn
6. Ed Toma
7. Carl Oeleke
8. Ernest Chadonnet
9. Brittany Elliott
10. Aaron Rodriguez
11. Ian Smith

Each of these witnesses may be contacted through Plaintiffs' counsel at the address below. Plaintiff reserves the right to amend this list once discovery has been completed and the opt in period has closed.

12. Patrick Karam
13. Robert "Bobby" Karam

Each of these witnesses may be contacted through defense counsel, Ed Pina and Diego Lopez, at the address below.

3. List of Proposed Exhibits

Plaintiff will offer into evidence all records produced by Defendants in response to Plaintiffs' First Request for Production (produced 1/18/08 and bates stamped 000001 - 001212), as well as all records produced by Defendants as their Supplemental Production of Documents (produced on 4/15/08 and incorrectly bates stamped 000843 - 001004). Plaintiff reserves the right to supplement this list of exhibits once discovery has been completed and the opt in period has closed.

Respectfully submitted,

By: */S/ Robert R. Debes, Jr.*
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OF COUNSEL:
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Telephone: (713) 877.8788
Facsimile: (713) 877.8065

OF COUNSEL:
BRUCKNER BURCH, PLLC

CERTIFICATE OF CONFERENCE

This filing does not seek an order from, nor require any action by, the Court. Accordingly, no certificate of conference is required.

/S/ Robert R. Debes, Jr.

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Robert R. Debes, Jr.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was forwarded to all counsel of record via Notice of Electronic Filing on known Filing Users, or by courier, certified mail (return receipt requested), facsimile transmittal, and/or first class mail delivery on unknown Filing Users on this the 22nd day of April, 2008.

Edward L. Piña
Diego Lopez
The Arial House
8118 Datapoint Drive
San Antonio, Texas 78229
Via Regular Mail and ECF

/S/ Robert R. Debes, Jr.

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ROBERT R. DEBES, JR.